

**Reclamation Board Meeting
June 16, 2006**

**Staff Report
Encroachment Application No. 18018-1
Califia, LLC (River Islands at Lathrop)**

**Request to Place Fill On and Adjacent to Project Levees
San Joaquin River, Reclamation District No. 2062, City of Lathrop**

Item

Consider approval of Application No. 18018-1 to reconstruct the landside portion of existing federal project levees regulated by the Reclamation Board and place engineered fill on the landward side between the reconstructed federal project levees and an existing interior private flood control levee constructed for the River Islands at Lathrop Project (River Islands). The fill will be placed on and adjacent to project levees located on the left banks of the San Joaquin River and Old River in the reach generally between the Union Pacific Railroad Bridge and the Head-of-Old River Fish Barrier. Application No. 18018 was divided into two applications based on material submitted to the Board as Part 2 of Application No. 18018 and discussed within Appendix A of that application (Attachment A). Application No. 18018-1 is the Part 1 and Application No. 18018-2 is Part 2 of initial Application No. 18018 submitted to the Board by the applicant on November 23, 2005.

Applicant

Califia, LLC, developer of the River Islands at Lathrop Project.

Location

River Islands is located in Reclamation District No. 2062 (RD-2062), which is part of Stewart Tract and within the City of Lathrop (Figure 1). RD-2062 is located about 10 miles south-southwest of Stockton on the north side of Interstate 5. Stewart Tract is comprised of two reclamation districts, RD-2062 located northwest of the Union Pacific Railroad (UPRR) and the site of River Islands and RD-2107 located southeast of the UPRR. Although RD-2107 is not part of River Islands, some of the proposed future flood protection system modifications will be located in areas where RD-2107 has jurisdictional authority and maintenance responsibility.

Project Description

The project, as proposed, will remove and reconstruct the landside portion of existing federal project levees including the foundation area and placement of engineered fill in the

area between an interior private flood control levee and the reconstructed federal project levees. The existing federal project levees affected by the proposed project are part of the Lower San Joaquin River and Tributaries Project, a federal flood control project under the jurisdiction of and regulated by the Reclamation Board. As proposed, the project will reconstruct and fill adjacent to approximately 1.3 miles of federal project levees along the left bank between the UPRR Bridge on the San Joaquin River and the Head-of-Old River Fish Barrier on Old River. The project is the initial phase of a comprehensive flood protection plan to be implemented as part the River Islands at Lathrop Project that will convert RD-2062 from existing agricultural use to highly developed urban use. The interior private flood control levee was constructed by River Islands during 2005 in order remove the area from the 100-year floodplain as shown on the City of Lathrop Flood Insurance Rate Map (FIRM) dated December 16, 2005. The existing federal project levees around RD-2062 do not provide the minimum 100-year level of flood protection required for FEMA certification as the federal levels do not currently meet the current standards for through-levee and under-levee seepage. The interior private flood control levee has been accepted by FEMA as providing the minimum 100-year level of flood protection for the southeastern portion of the district that consists of about 20-25% of the total land area within RD-2062 (Figure 2).

CEQA Compliance

The City of Lathrop (City) is the California Environmental Quality Act (CEQA) lead agency for the River Islands at Lathrop Project and the Reclamation Board is a responsible agency pursuant to CEQA. The City distributed a draft Subsequent Environmental Impact Report (SEIR) for public review on October 17, 2002 with a 45-day review period that ended on December 2, 2002. The Reclamation Board provided comments regarding the draft SEIR in a letter dated December 30, 2002 (Attachment B). The final SEIR was submitted to the State Clearinghouse (No. 1993112027) on January 22, 2003. As required by Title 23, Section 8(b)(2), the final SEIR was submitted with Application No. 18018 to the Board on November 23, 2005. The Board's Environmental Review Committee (ERC) consisting of staff from the Reclamation Board/Department of Water Resources, State Lands Commission, and Department of Fish and Game met in December 2005 to review the environmental documentation submitted for twelve applications, including Application No. 18018, for compliance with CEQA. In a letter to the Board's Acting General Manager, Dan Fua, dated February 2, 2006, the ERC review of environmental documents submitted for Application No. 18018 indicated compliance with CEQA. The Acting General concurred with the ERC recommendation by signature on February 2, 2006 (Attachment C).

Associated Issues

1. Floodplain Mapping Information

The City of Lathrop FIRM dated December 16, 2005 has been revised by FEMA by a Letter of Map Revision (LOMR) dated April 13, 2006 (Attachment D). The revised FIRM shows the area protected by the interior private levee as Zone X, that is, the area is protected from the 1% annual chance flood (100-year flood). The revised map also includes the following note, "This area protected from the 1%

annual chance flood by levee, dike, or other structure subject to failure during larger floods.”

2. Hold Harmless Agreement

An agreement holding the State harmless will be required as a condition of the permit in order to mitigate the State’s exposure to future flood damage liability. Board Counsel recommends that the parties to this agreement include the local reclamation district (RD-2062) as well as the proposed Geologic Hazard Abatement District (GHAD), and that approval of the permit be subject to such agreement as well as the formation and validation of the GHAD.

3. Third Party Flood Impacts

Raising levees above the elevations shown for design of the original San Joaquin River and Tributaries Project, California, may convey flood impacts to third parties upstream and downstream of the project. Therefore, the draft permit has limited the maximum elevation of reconstructed project levees and the adjacent fill area to the maximum levee design elevations shown on the US Army Corps of Engineers drawings for the San Joaquin River and Tributaries Project, California, Levee Profiles dated December 23, 1955, or as modified by other US Army Corps of Engineers projects and shown on “as-built” drawings submitted subsequent to December 23, 1955.

Staff Recommendation

The staff recommendation is for approval of Application No. 18018-1 to remove and reconstruct the landside portion of existing federal levees and place fill in the area between the reconstructed federal levees and an interior private flood control levee along the left bank between the UPRR bridge over the San Joaquin River and the Head-of-Old River Fish Barrier near the mouth of Old River.

Draft Permit

A draft permit with special conditions for the proposed project has been provided for Board consideration (Attachment E).

Figures

1. Project Location
2. Project Site

Attachments

- A. Original Application Submittal
- B. Reclamation Board EIR Comment Letter
- C. Concurrence with CEQA Compliance
- D. FEMA LOMR
- E. Draft Permit No. 18018-1

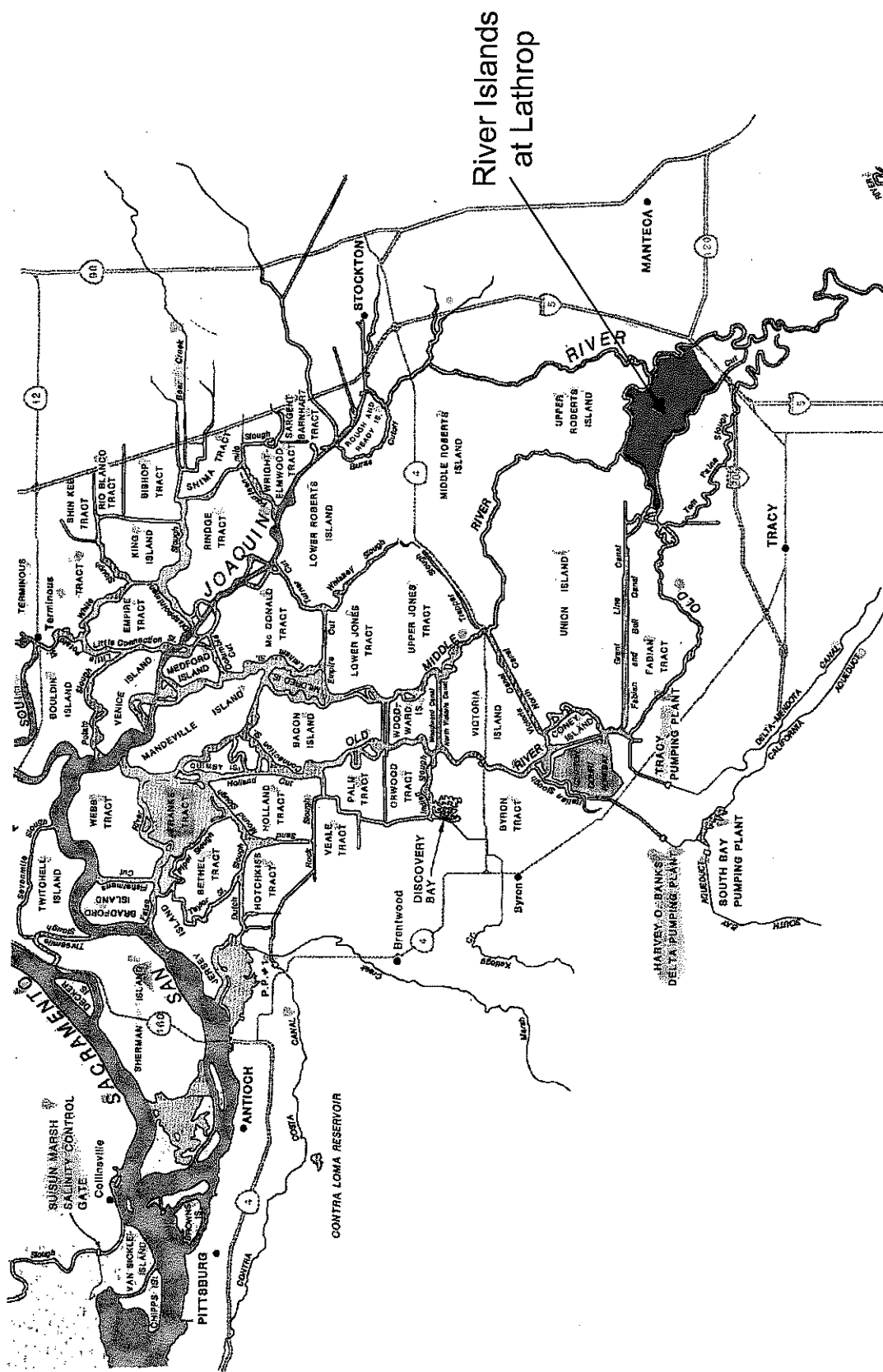


Figure 1 Project Location

River Islands at Lathrop Stewart Tract

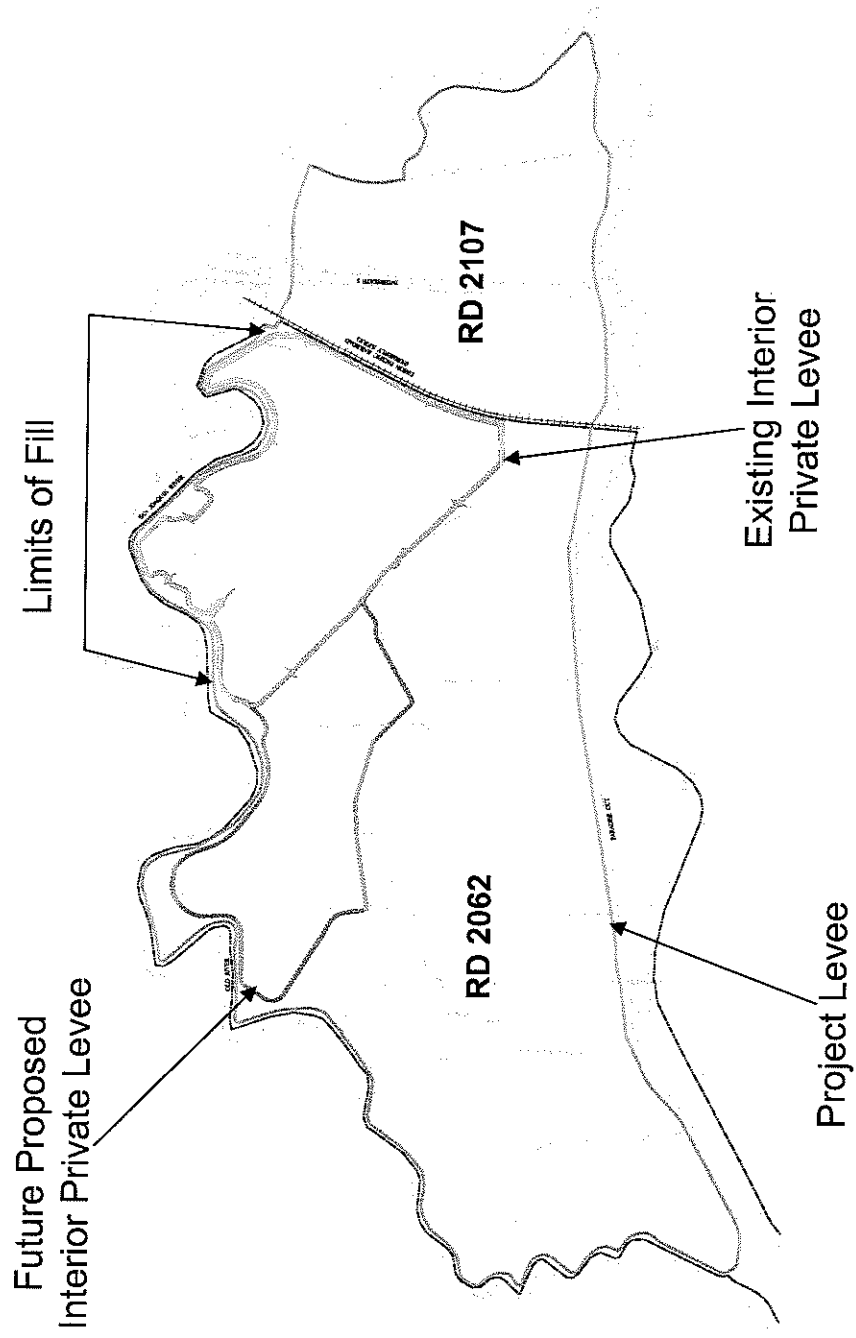


Figure 2
Project Site

Attachment A
Original Application Submittal
November 23, 2005

APPLICATION FOR A RECLAMATION BOARD ENCROACHMENT PERMIT

-18018

Application No. _____

(For Office Use Only)

1. Description of proposed work:

To place engineered fill encroaching on project levee segments located on the Stewart Tract within the City of Lathrop.
A more complete description is included with Attachment A.

2. Location: San Joaquin County, in Section NA (Rancho Pesadero)Township: 2 South (N)
(S), Range 6 East (W), M. D. B. & M.3. Califia, LLC of 73 W. Stewart Road
Name of Applicant AddressLathrop
CityCA
State95330
Zip Code209-879-7900
Telephone Number209-879-7928
Fax Number

4. Endorsement: (of Reclamation District)

We, the Trustees of Island Reclamation District No. 2062
Name and District Number

approve this plan, subject to the following conditions:

☐ Conditions listed on back of this form☐ Conditions Attached☒ No Conditions

Trustee _____ Date _____

Glenn Gebhardt, President of RD 2062 11-05
Trustee Date

5. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Califia, LLC (Applicant)
Name73 W. Stewart Road, Lathrop
Address95330
Zip CodeCambay Group, Inc.2999 Oak Road, Suite 400, Walnut Creek94597Island Reclamation District No. 206273 W. Stewart Road, Lathrop95330

6. Has an environmental determination been made of the proposed work under the California Environmental Quality Act of 1970? ☒ Yes ☐ No ☐ Pending

If yes or pending, give the name and address of the lead agency and State Clearinghouse Number:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

SCH No. 1993112027

7. When is the project scheduled for construction? July 2006 to November 2006

8. Please check exhibits accompanying this application.

- A. ☒ Map showing the location of the proposed work.
B. ☒ Drawings showing plan and elevation views of the proposed work, scale, materials of construction, etc.
C. ☒ Drawings showing the cross section dimensions and elevations of levees, berms, stream banks, flood plain, low flow, etc.
D. ☒ Drawings showing the profile elevations of levees, berms, flood plain, low flow, etc.
E. ☒ Photograph depicting the project site.

9. Is the applicant acting for the owner of the proposed works? ☒ Yes ☐ No

If yes, the name, address and telephone number of the owner is

Same as Item 6 above.

Susan Dellosa
Signature of Applicant

11/21/05
Date

For additional information:

See Attachments "A" through D

APPLICATION FORM 3615A

**Environmental Assessment Form
"Fill Permit"**

**ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE
FOR APPLICATIONS FOR RECLAMATION BOARD ENCROACHMENT PERMITS**

This environmental assessment questionnaire must be completed for all Reclamation Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act?

☒ Yes ☐ No If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:

City of Lathrop: River Islands Subsequent EIR, SCH No. 1993112027

2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency?

☒ Yes ☐ No List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineer' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.

Grading Permit - City of Lathrop

Encroachment Permit - Island Reclamation District No. 2062

CLOMR-F and LOMR-F - Federal Emergency Management Agency (FEMA)

3. Give the name and address of the owner of the property on which the project or use is located.

Califia, LLC, 73 West Stewart Road, Lathrop, CA 95330

4. Will the project or use require issuance of a variance or conditional use permit by a city or county?

☐ Yes ☒ No Explain:

The physical construction of the improvements will only require ministerial permits from the City of Lathrop: a grading permit and an encroachment permit from the local reclamation district.

5. Is the project or use currently operating under an existing use permit issued by a local agency?

☐ Yes ☒ No Explain:

For excavation, earth work and grading, no such permit is necessary. The associated land use entitlements for the development project associated with the encroachment were approved by the City of Lathrop on January 28, 2003 and July 19, 2005.

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

The project site currently has only ruderal vegetation, such as weeds and native grasses along the sides of each levee segment. The grasses and weeds are managed by the local reclamation district (Island Reclamation District No. 2062) and provide erosion control to the levee slopes that are affected by the project. This vegetation will be stripped with the grading operation to meet proper soil conditions and compaction.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

There is no known habitat within the specific project area between the levees. Riparian habitat exists nearby on the existing project levees; this habitat will not be affected by the project. Some foraging habitat for raptors such as the Swainson's Hawk are located in the fields within the interior levee. Payment of San Joaquin County Habitat Conservation Plan (SJCHCP) fees for the affected area within the interior levee have already been paid to the San Joaquin Council of Governments and necessary mitigations are in place for this affected habitat.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

☐ Yes ☒ No Explain:

No such consultation is necessary, since the project does not impact aquatic species and terrestrial species impacts have already been mitigated by payment of the SJCHCP fees and associated River Islands EIR mitigation measures for adjacent interior lands.

9. Will the project or use significantly change present uses of the project area?

☒ Yes ☐ No Explain:

The project will create a new high ground corridor levee that if approved by the State Reclamation Board, will also include the encroachment of non-habitable structures such as fences and gates.

10. Will the project result in changes to scenic views or existing recreational opportunities?

☐ Yes ☒ No Explain:

The project will not significantly change scenic views or recreational opportunities at the project area.

11. Will the project result in the discharge of silt or other materials into a body of water?

☐ Yes ☒ No Explain:

The project will not affect existing water courses, including Old River, San Joaquin River or Paradise Cut, since the fill will be placed on the "dry side" of existing levees. No fill or sediment will be placed on the water side of these levees and no construction activities will take place in a water/river channel, although planting of the water side of the new oversized levee is proposed and allowed under Title 23 regulations.

12. Will the project involve the application, use, or disposal of hazardous materials?

☒ Yes ☐ No If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

It is not anticipated to handle hazardous material with this project.

13. Will construction activities or the completed project generate significant amounts of noise?

☒ Yes ☐ No Explain:

See Attachment B for a description of Noise Impacts

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

☒ Yes ☐ No Explain:

See Attachment C for a description of Air Quality Impacts.

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

☐ Yes ☒ No Explain, and identify safety and air pollution control measures:

Construction of the project will result in short term construction related air quality impacts involving fugitive dust from grading operations which will be mitigated under the adopted Mitigation Monitoring Program (MMP) for the certified River Islands EIR, which is on file with the City of Lathrop.

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

☐ Yes ☒ No Explain:

The project includes the construction activities in areas near existing agricultural lands, but will be contained within existing City levee segments that are not farmed. As a result, there will be no loss of agricultural lands due to the project.

17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

☐ Yes ☒ No Explain and identify any other similar projects:

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

☐ Yes ☒ No Explain:

This project is required as a result of existing and planned growth already approved within the City of Lathrop, and will only serve to allow encroachment of fences and gates from that development on top of the new oversized levee. The existing interior levee system will already provide a 200 year level of protection for proposed development and the proposed engineered fill between the interior system and the project levees only further strengthens the flood control system for affected portion of the Stewart Tract.

19. Will materials be excavated from the floodplain?

☒ Yes ☐ No If yes, please answer the remaining questions.

THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT NEED TO COMPLETE THE REMAINING QUESTIONS.

A. What is the volume of material to be excavated?

Annually 3.5 million cu. yd. Total 3.5 million cu. yd.

B. What types of materials will be excavated?

Borrow pits located outside the interior levee system will be utilized for fill in the project. These borrow pits are located within the floodplain, however, they are located in proposed lakes associated with future phases of the River Islands development.

C. Will the project site include processing and stockpiling of material on site?

☐ Yes ☒ No Explain:

Fill will be set in place and compacted between the levee segments as it is excavated from the borrow pit areas and will not be stockpiled.

D. What method and equipment will be used to excavate material?

Scrapers and excavators will be utilized to excavate earth material from the former agricultural areas used as borrow pits.

E. What is the water source for the project?

Existing agricultural pumps and water sources on-site will be used for the grading operations.

F. How will waste materials wash water, debris, and sediment be disposed of?

Excavated waste material will be placed outside the floodway and then removed off-site.

G. What is the proposed end land use for the project site?

Extended yards, fences and gates for already approved and flood protected development.

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

☐ Yes ☒ No If yes, please attach a copy.

ATTACHMENT A

Project Description **"Fill Permit"**

The "Fill Permit" request involves two components: the placement of engineered fill against a portion of project levees located on the Stewart Tract within Island Reclamation District No. 2062 (RD No. 2062) and a request for clarifications and variances to Title 23 regulations regarding the encroachment of certain structures and use of the area within the State Reclamation Board easement.

Placement of Engineered Fill: The first component of the Fill Permit involves the placement of engineered fill between the existing federal levee and the new interior levee currently under construction by RD 2062. RD No. 2062 is currently constructing a new interior levee system on a portion of the Stewart Tract; please see Exhibit "A". The interior levee system will allow development of Phase 1 of the River Islands project and did not require an encroachment permit from the State Reclamation Board since the entire interior levee is being constructed outside of the Planned Area of Flood Control. This Fill Permit is associated with the Phase 2A development of the River Islands project and includes filling the area between the existing federal project levee and the RD 2062 interior levee; see Exhibit "B".

Other activities associated with the Phase 2B development of the River Islands project are subject to a separate encroachment permit application (the CPM Permit) which includes flood protection and eco-restoration activities for the balance of the River Islands project. This Fill Permit is separate and apart from the CPM Permit request and all work performed under this Fill Permit is stand-alone and can be completed whether the CPM permit is approved or not. The Conceptual Project Modification Report ("CPM") further describes activities included with the Phase 2B development.

Existing federal project levees are located near the interior levee system at a minimum distance of 10 feet, varying to distances greater than 10 feet. The void between the levee systems can be filled and compacted, to create a new high ground perimeter system that would ultimately vary in width up to 300 feet. The new combined system would meet at least a 200 year level of protection required by the State Reclamation Board; however, the existing interior levee system is being designed and constructed to provide a 200 year level of protection.

Encroachment of Structures: The second component of this Fill Permit request involves a variance to Title 23 of the California Code of Regulation regulations regarding levee encroachment. The Army Corps Operations Manual and Title 23 do not fully address the design features of the proposal. The adopted regulations apply to typical levee construction, and various interpretations could apply to the high ground perimeter and the "theoretical levee" segment (see below) proposed by the project applicant. Consequently, the applicant requests that the Board clarify the design standards applicable to this new high ground perimeter and approve the necessary clarifications and variances for the following design features.

Vegetation

Since the new high ground perimeter would be considered an “oversized levee” as described in Title 23, vegetation on the waterside of these levees may be allowed. Specifically, adopted regulations allow for the planting of certain plants on “oversized” levees, on those levees that are 30 feet or wider as measured between the design freeboard elevation and the standard levee slope. The applicant requests that the Board approve a broader list of species than the currently approved plant guide for oversized levees. Acceptance of additional species would result in a variance to the standards set forth in Title 23.

Fences and Gates

The Board’s adopted regulations allow fences and gates to be placed within the State Reclamation Board easement as long as they do not obstruct flood flows or cause an accumulation of debris that would obstruct flood flows. The applicant requests Board clarification that the following types of fences and gates are allowed and meet the intent of Title 23:

- Fences that parallel the 20-foot crown would be allowed at the top of the waterside slope (See Exhibit “C”).
- Gates would be allowed to be built across the 20-foot crown adjacent to the waterside slope and that these gates may occur at each property line. The local reclamation district would have keys to the gates and would be able to inspect the levees at regular intervals as well as ensure that the gates are opened for independent inspection by Board personnel, if desired. The Geologic Hazard Abatement District proposed for formation with the project area (“GHAD”) would be responsible for making sure that access was provided when requested (See Exhibit “C”). A full explanation of the GHAD is included in Exhibit “D”.

The applicant is requesting the abovementioned clarifications as necessary in order to confirm that construction of the proposed design features would comply with the Board’s adopted regulations. The proposed fences and gates will not obstruct flood flows, and regular maintenance and inspection can be arranged. The GHAD will have the authority to enforce compliance with the maintenance and inspection schedule. With respect to flood fighting, the applicant also believes that these fences will not obstruct the ability to make emergency repairs.

Neither of the two clarifications above requires Title 23 variances.

Width of Easements

Title 23 and the Operations Manual contemplates a standard State Reclamation Board easement that covers the waterside slope (3:1), a 20-foot levee crown (which includes a

12-foot maintenance road), the landside slope (2:1) and a 10 foot area adjacent to the landside toe. Assuming a 12-foot high levee which is a typical levee height with the proposed project, the easement would extend approximately 54 feet into the landside as measured from the top of the waterside slope. (See Exhibit “E” for typical levee segment).

The proposal of filling in the area between the existing federal levee and the new levees being constructed by RD 2062 provides a measure of flood protection by establishing a high ground perimeter that could be several hundred feet wide, and for which a “theoretical levee” is identified for easement purposes. The inside toe of the levee will be buried under 12 feet of fill as the high ground will typically extend for hundreds of feet and then gradually slope down to existing ground.

Acknowledging that the general maintenance of this area differs from a traditional levee maintenance program, and that the need for visual inspections on the inside levee toe will be superfluous, the applicant proposes the following concepts:

- Where landside fill is being placed against existing levees, (i.e. the levees are not being set back) all residential and commercial buildings will be located outside of the existing State Reclamation Board easement in accordance with applicable Title 23 Regulations. It should be noted that many of the existing mapped easements do not include the 10-foot maintenance area but rather extend to the inside toe of the theoretical levee.
- Where the levee are being set back (in the back bays and along Paradise Cut), the State Reclamation Board easement would not include the 10-foot area adjacent to the inside levee toe which will be buried under 12 feet of fill. The levee design does not contemplate reclamation district use of this area for maintenance, so the applicant requests elimination of this portion of the easement.

The first concept would not require a variance from the Title 23 standards because the easements currently exist, and could be “grandfathered in” as existing encroachments pursuant to Section 108 of the Title 23 standards.

The second concept however, would require a variance to Title 23. The applicant is requesting a variance from the allowable easement length that would permit a decrease in the length of the easement by 10 feet. The resulting effect of this variance would be that structures could be placed within 44 feet of the top of the waterside levee slope, rather than 54 feet. The applicant requests Board approval of this second concept because of the desire to balance the costs of constructing the high ground perimeter system, by offsetting sales premiums due to better views.

The reduction in easement width will not impact maintenance of the outside levee slope. The 12-foot maintenance road and the 20-foot crown adjacent to the waterside slope would remain. Forty-four feet of flat ground would be available in lieu of a slope on the

dry side of the 20-foot crown. In other words, under the applicant's proposed concept, the accessible flat ground would extend 44 feet horizontally rather than 20 feet.

Allowed Uses within the State Reclamation Board Easement

Title 23 prohibits construction of any new dwellings or habitable structures within the State Reclamation Board easement. If the Board approves the concepts outlined in above, the applicant will not propose any new habitable structures within the easement areas.

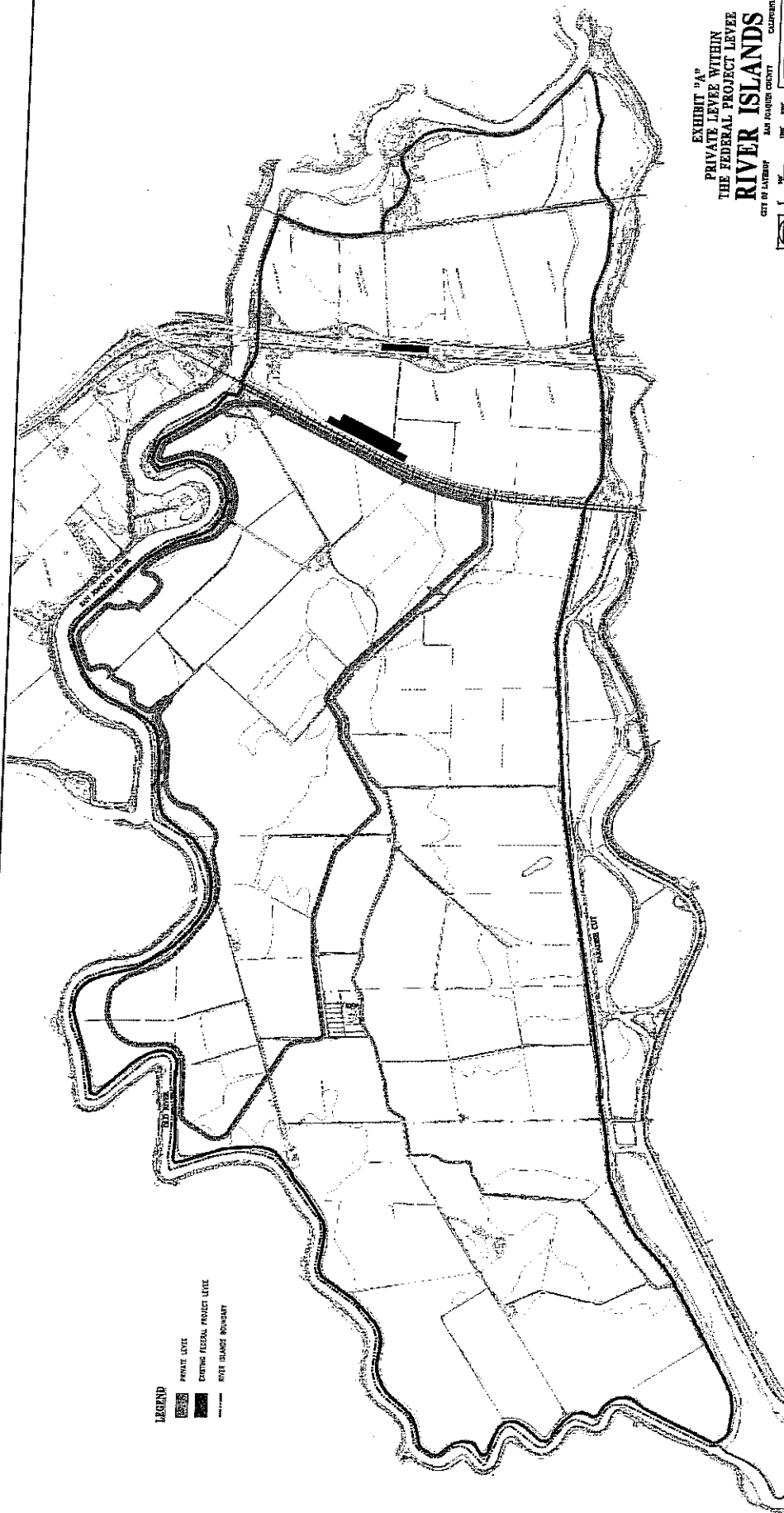
Regarding non-habitable structures within the easement area with the exception of the restrictions applicable to the 20-foot levee crown, which includes the 12-foot maintenance road, the regulations need clarification. The applicant proposes the following clarifications:

- Within the area of the 20-foot crown, the applicant would be permitted to construct a 12-foot maintenance road, of all-weather material, and no vegetation (other than potential lawn over grasscrete) would be allowed in this area (Zone 1, Exhibit "C").
- Within the remaining dry side portion of the easement, construction of patios, gazebos and other similar structures would be permitted with vegetation and associated irrigation systems (Zone 2, "Exhibit "C").
- Within the remaining dry side portion of the easement, subsurface structures may be constructed as long as the bottom of the structure does not encroach upon the theoretical levee slope (Zone 2, "Exhibit C"). Any subsurface structure that would encroach on the theoretical levee slope would be evaluated on a case-by-case basis and may require additional review.

Approval of these design concepts are subject to Board clarification and thus, are not anticipated to require variances.

Required Variations and Changes

In order to approve the Fill Encroachment and implement the above design issues, clarifications and variances are needed to Title 23 and will need to be incorporated in the Board's approval.



LEGEND

PRIVATE LEVEE

EXISTING FEDERAL PROJECT LEVEE

RIVER ISLANDS BOUNDARY

EXHIBIT "A"

PRIVATE LEVEE WITHIN

THE FEDERAL PROJECT LEVEE

RIVER ISLANDS

CITY OF LATHAM SAN FRANCISCO COUNTY CALIFORNIA



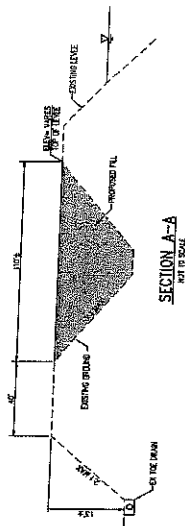
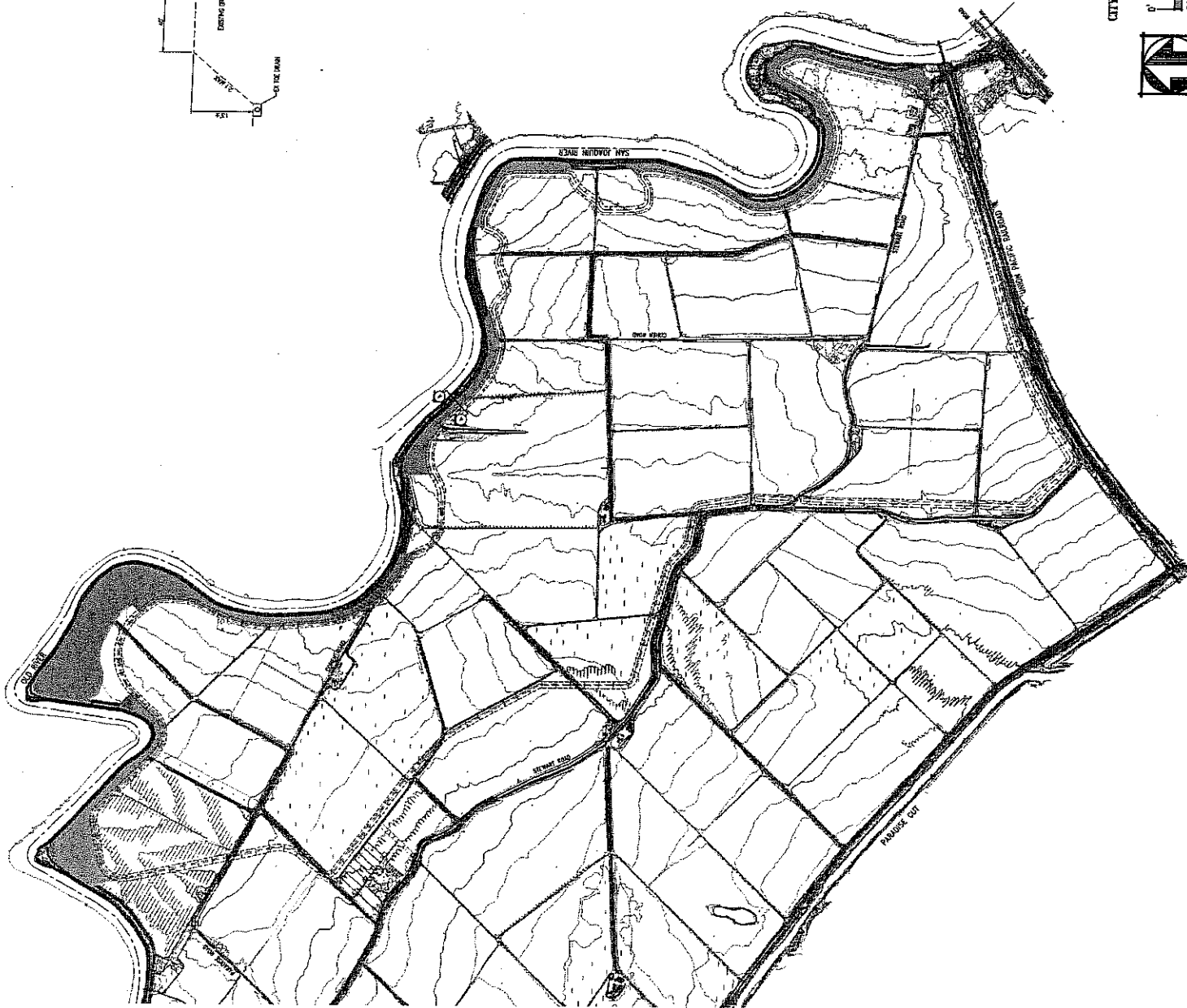
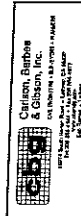
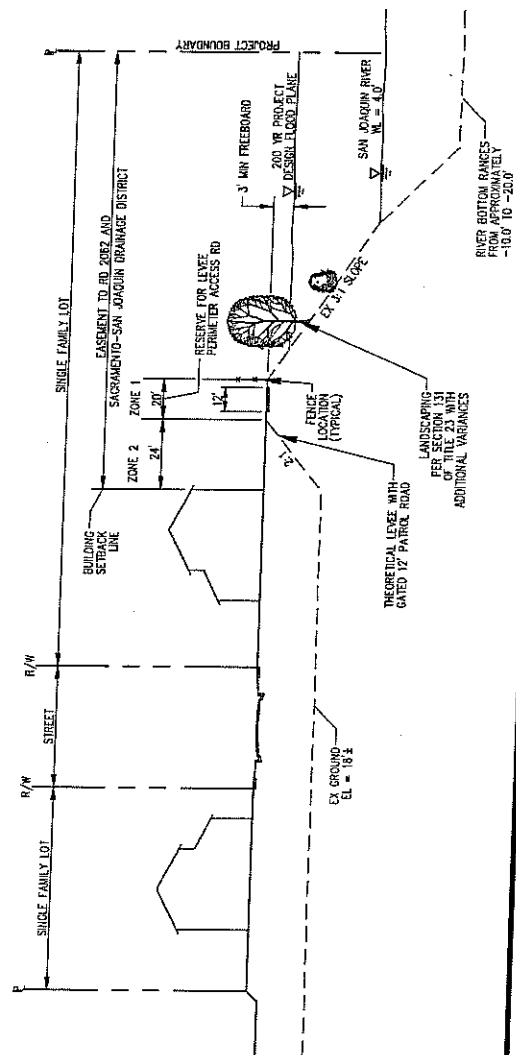


EXHIBIT "B" ENCROACHMENT AREA **RIVER ISLANDS**

CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA





cibg
Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
16974 South Nelson Road • Lafayette, CA 94530
Tel 208 258-4944 • Fax 208 258-4977
www.cibg.org
San Ramon • Lafayette

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EXHIBIT "D"

Overview of Geologic Hazard Abatement Districts

The applicant envisions the establishment of a Geologic Hazard Abatement District for the maintenance of the levees and related improvements as part of the Flood Control Program.

The Beverly Act (Public Resources Code sections 26500, *et seq.*) was signed into law in 1979 by the California legislature, establishing Geologic Hazard Abatement Districts (GHADs) to protect communities from geologic and geotechnical hazards. A GHAD is an independent political subdivision of the state and, therefore, are not an agent or instrumentality of a local agency. GHADs are also empowered to issue bonds or levy assessments to protect their communities. GHADs have police powers and can impose penalties on individual landowners who do not comply with the adopted Plan of Control. GHADs can be created prior to development and thereby secure a perpetual funding source through permanent supplemental property assessments.

Under the Beverly Act, a Plan of Control, prepared by a Certified Engineering Geologist, establishes the GHAD's responsibilities and priorities. The Plan of Control serves as the "general plan" for the GHAD and addresses the GHAD's ongoing activities, including the monitoring of geologic conditions, identification of geologic hazards, construction of needed improvements, and the maintenance, repair and replacement of facilities.

GHADs typically operate with a focus on the prevention of geologic hazards, with mitigation and abatement also being primary functions. A "geologic hazard" is broadly defined as an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement or any other natural or unnatural movement of land or earth.

GHADs have become increasingly popular in recent years due to several factors, including the following.

- Increase of development in geologically active areas.
- Increased recognition of long-term stability and weathering issues and the inability to eliminate all geotechnical risk.
- Desire to provide an alternative to costly, time-consuming litigation.
- The absence of available insurance coverage for earth movement.

GHADs offer many advantages in dealing with geologic hazards. A GHAD focuses on the prevention of damage resulting from earth movement by identifying and monitoring potential hazards and undertaking appropriate improvements. GHADs have the ability to respond to unforeseen events quickly and efficiently with technical and financial resources. GHAD operations do not require local permitting, and concerns over liability are less likely to deter

needed actions, since GHADs have a degree of immunity from liability under the Government Code.

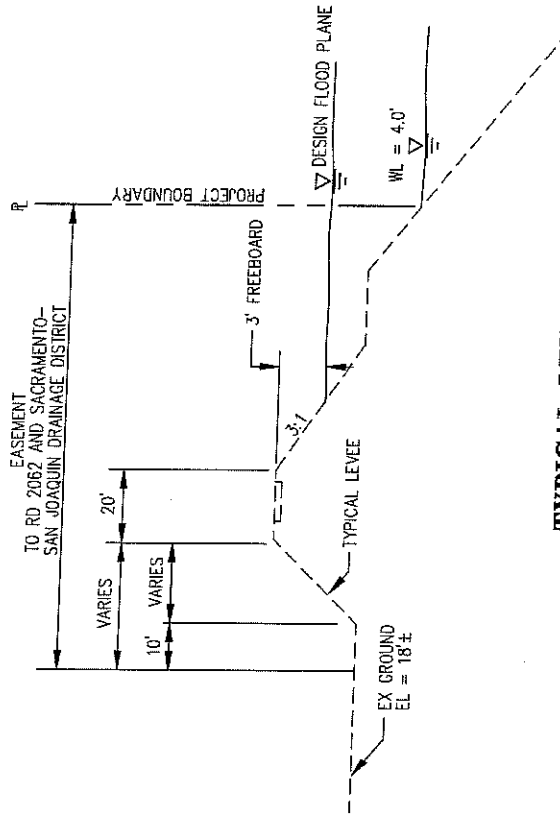
A GHAD also offers several advantages over a Homeowners Association (HOA) in dealing with geologic hazards. HOAs are not public agencies, which mean that they have a greater degree of potential liability and lack the ability to tax or issue bonds. GHADs have flexibility in collecting assessments. They are authorized to collect assessments along with the general property tax, which avoids the need for separate collection by another entity, such as an HOA. GHADs are managed by persons who have a high level of expertise in geotechnical engineering. With HOAs, reserve funds may be used for other purposes, and there is no formal plan of control.

Proposed River Islands GHAD

The applicant proposes to create a River Islands GHAD which would operate in conjunction with the local reclamation district to enforce proper operation and maintenance in the levee easement areas. The River Islands GHAD would adopt a Plan of Control which would reflect the restrictions of the State Reclamation Board Encroachment Permit and which would empower the GHAD to levy fines if standards were being violated.

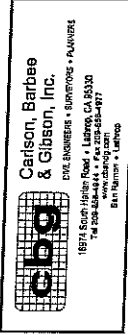
In general, the purpose of the proposed River Islands GHAD is to provide for prevention, abatement, mitigation and control of geologic hazards affecting privately owned properties and public improvements, including riverbanks, drainage ways, drainage improvements, lakes, wetlands, water quality facilities etc. within the River Islands project. The Plan of Control for the River Islands GHAD is intended to delineate the general responsibilities, priorities and procedures for the functioning of the proposed GHAD.

A significant portion of the River Islands GHAD will govern the monitoring and maintenance of the river embankments, including responsibility for funding and implementation of the Operations and Maintenance Manual Supplement #2. The GHAD services will include regularly scheduled observation for erosion and/or potential slope instability, rapid repair of slope areas as needed, vegetation control including removal and/or replanting, and removal of unwanted debris or structures (including police power to enforce removal of homeowner-constructed structures). The GHAD will also be responsible for maintaining the access roads along the top of the riverbanks and providing access to these roads for the State Reclamation Board, Corps of Engineers, and State Department of Water Resources personnel. GHAD personnel will open gates for access by these agencies on an as-requested basis for regular observation and monitoring events, and will automatically maintain the gates in an open condition to allow unrestricted access during periods of high water.



**TYPICAL LEVEE
SECTION**
NOT TO SCALE

EXHIBIT "E"
TYPICAL LEVEE SECTION
RIVER ISLANDS
CITY OF LATHROP
SAN JOAQUIN COUNTY
CALIFORNIA



ATTACHMENT B

Noise Impacts "Fill Permit"

Per the City of Lathrop Noise Ordinance, construction activities in, or within 500 feet of a residential zone (i.e., an area containing occupied residences) shall be prohibited between 10 p.m. and 7 a.m. Sunday through Thursday and between 11 p.m. and 9 a.m. on Fridays, Saturdays, and legal holidays.

In addition, in accordance with the mitigations adopted with the certified EIR (SCH No. 1993112027) all construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations. Construction equipment and truck routes shall be arranged to minimize travel adjacent to occupied residences. Stationary construction equipment and staging areas shall be located as far as possible from sensitive receptors, and temporary acoustic barriers may be installed around stationary equipment if necessary.

ATTACHMENT C

Air Quality Impacts "Fill Permit"

The SJVAPCD emphasizes implementation of effective and comprehensive control measures rather than requiring a detailed quantification of construction emissions. The SJVAPCD requires that all feasible control measures (dependent on the size of the construction area and the nature of the construction operations) shall be incorporated and implemented.

Based on available information, it appears that the application of standard construction mitigation measures for the control of fugitive dust (i.e., the application of water or soil stabilizers) are effective methods of reducing dust-related impacts on agricultural crops.

In accordance with SJVAPCD guidelines (SJVAPCD 1998), the following mitigation, which includes SJVAPCD Basic, Enhanced and Additional Control Measures, shall be incorporated and implemented. In addition to the mitigation measures identified below, construction of the proposed project is required to comply with applicable SJVAPCD rules and regulations, including the requirement of a California Occupational Safety and Health Administration – qualified asbestos survey before demolition.

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
- All onsite unpaved construction roads and offsite unpaved construction access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- During demolition of buildings all exterior surfaces of the building shall be wetted.
- When materials are transported offsite, all material shall be covered, effectively wetted to limit visible dust emissions, or at least 6 inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surfaces of outdoor storage piles, piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Onsite vehicle speeds on unpaved roads shall be limited to 15 mph.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1 percent.

Attachment C
Air Quality Impacts
Page 2

- Wheel washers shall be installed for all exiting trucks and equipment, or wheels shall be washed to remove accumulated dirt prior to leaving the site.
- Excavation and grading activities shall be suspended when winds exceed 20 mph.
- The overall area subject to excavation and grading at any one time shall be limited to the fullest extent possible.
- Onsite equipment shall be maintained and properly tuned in accordance with manufacturers' specifications.
- When not in use, onsite equipment shall not be left idling.

Additionally, the project will adhere to adopted San Joaquin County Council of Governments and City of Lathrop Reasonably Available Control Measures (RACM) and Best Available Control Measures (BACM) for the mitigation of fugitive dust and particulate matter.

ATTACHMENT D

PHOTOGRAPH OF PROJECT SITE "Fill Permit"

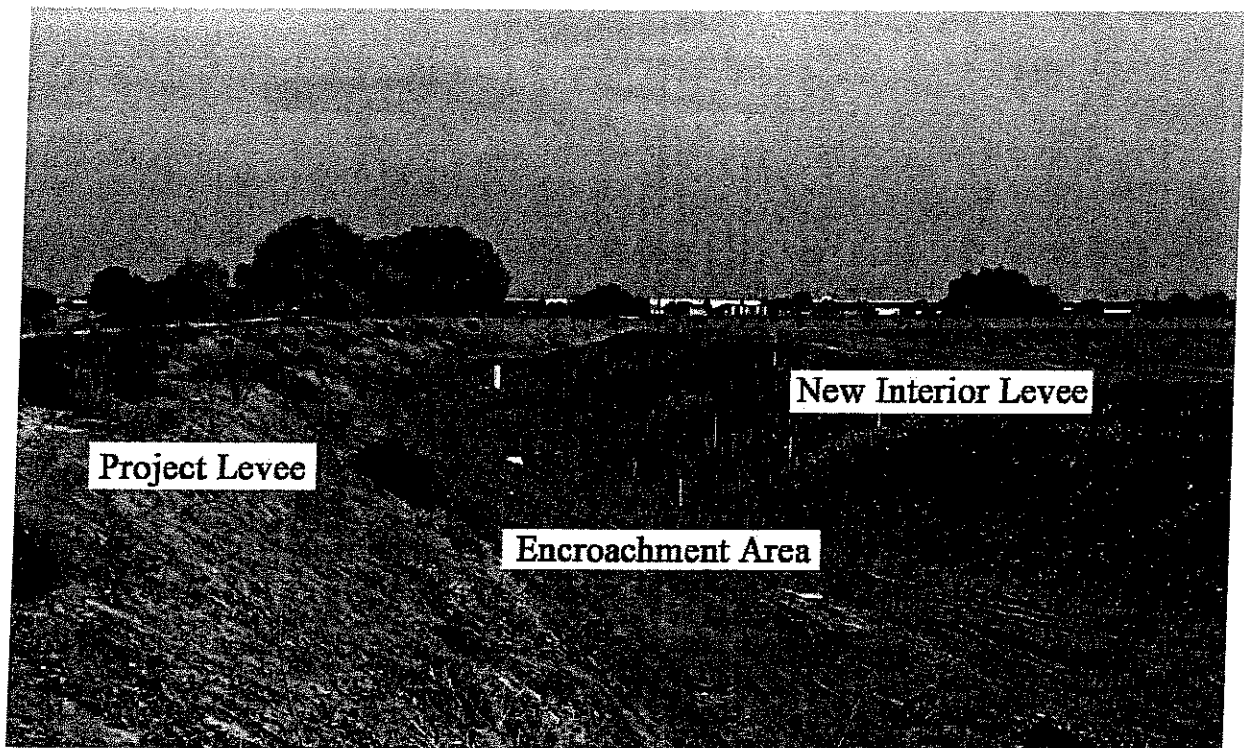
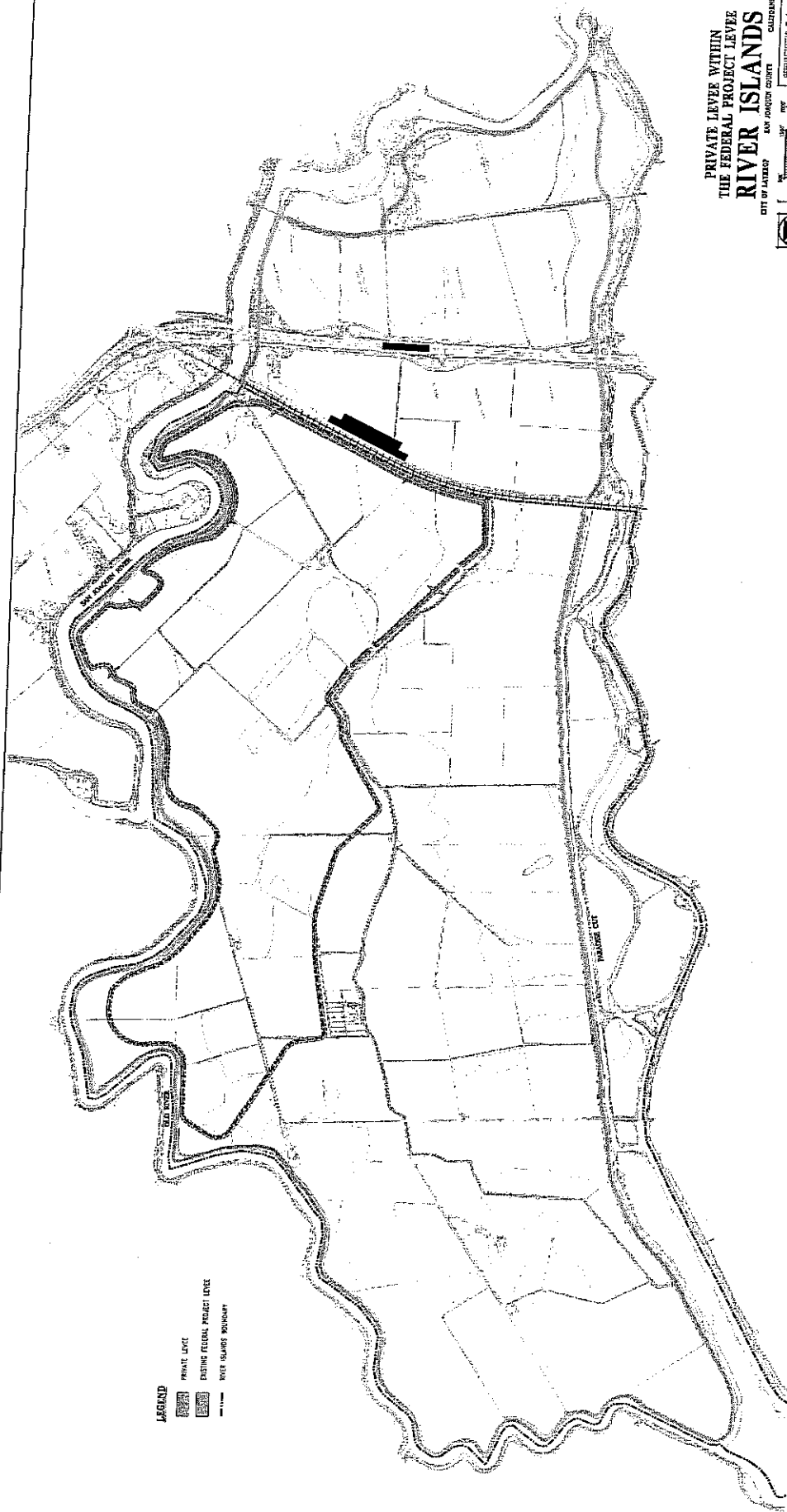


Photo Near Old River – Example of Encroachment Area Near Project Levee

PLANS AND DRAWINGS

“Fill Permit”



LEGEND

- PRIVATE LEVEE
- EXISTING FEDERAL PROJECT LEVEE
- RIVER ISLANDS BOUNDARY

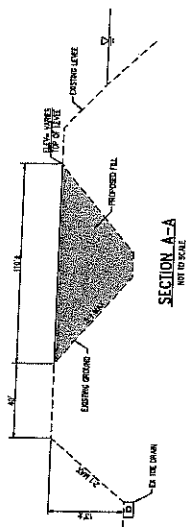
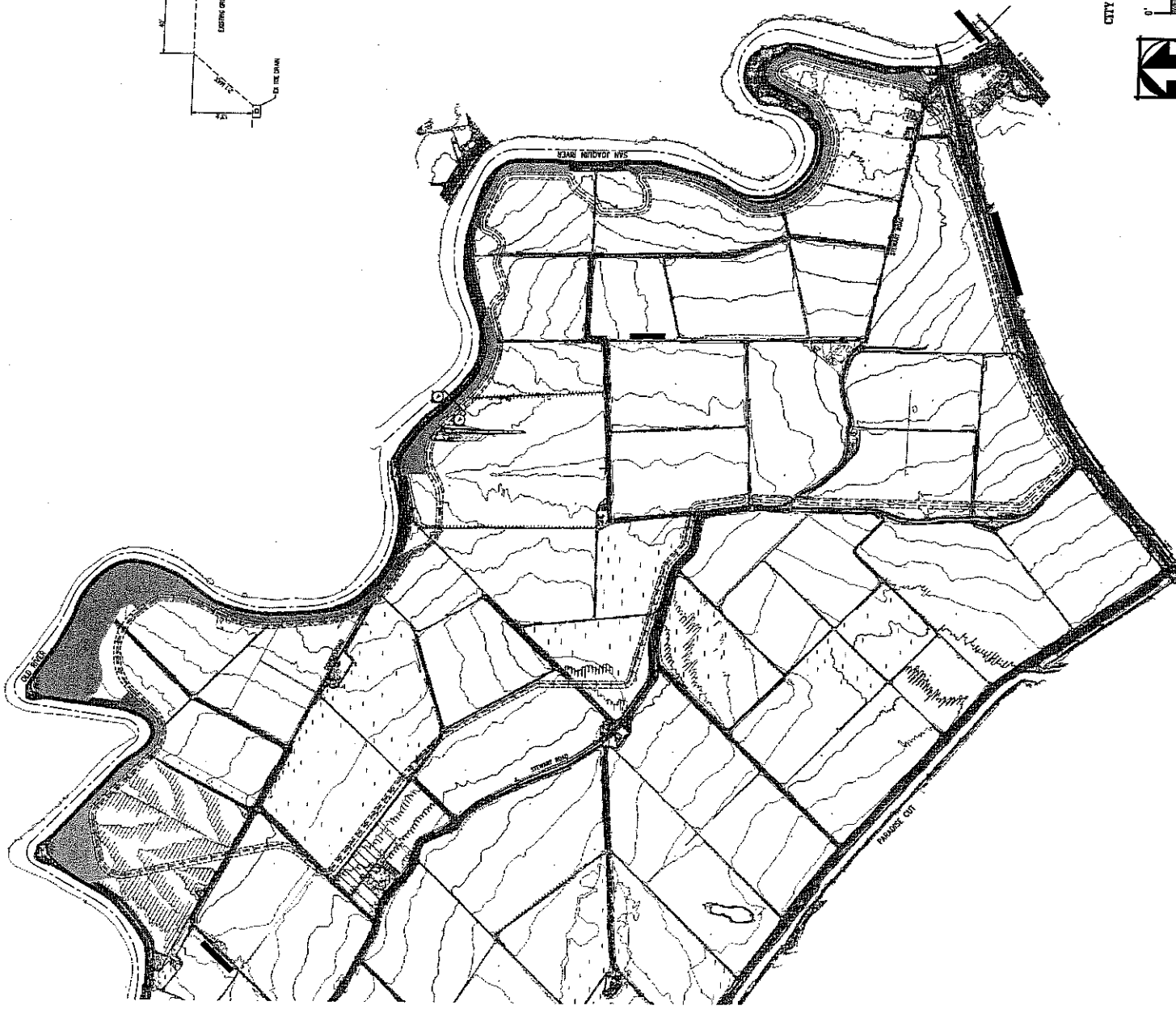
PRIVATE LEVEE WITHIN
THE FEDERAL PROJECT LEVEE
RIVER ISLANDS

CITY OF LATHROP

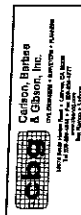
SAN JOAQUIN COUNTY

CALIFORNIA





ENCROACHMENT AREA EXHIBIT
RIVER ISLANDS
 CITY OF LATHROP SAN JOAQUIN COUNTY CALIFORNIA



Attachment B
Reclamation Board EIR Comment Letter
December 30, 2002

DEC 30 2002

Mr. Bruce Coleman, Community Development Director
City of Lathrop
Community Development Department
16775 Howland Road, Suite 1
Lathrop, California 95330

Dear Mr. Coleman:

The Reclamation Board appreciates the opportunity to review and comment on the Draft Subsequent Environment Impact Report (EIR) for the River Islands at Lathrop Project, dated October 16, 2002. We appreciate your extension of the comment period for providing our comments.

The Board is responsible for ensuring the integrity and capacity of the flood control system within the Sacramento and San Joaquin Drainage System. It has regulatory authority over encroachments to adopted plans of flood control pursuant to Water Code Sections 8500 through 9389. The Board is concerned with the potential impacts of the proposed project on the San Joaquin River Flood Control System and its flood flow capacity in the vicinity of the project site. Because this project constitutes an encroachment in the system, Board approval will be required. Our specific comments are as follows:

1. A Board encroachment permit will be required for the proposed project. It is recommended that you have significant coordination meetings with Board staff prior to submittal of the permit application. The permit process is described in Title 23 of the California Code of Regulations.
2. Impact 4.8-m of the Draft Subsequent EIR states that the project "could result in increases to flood stage elevations in the surrounding area during severe flood events." The Board is concerned that higher water surface elevations would burden the flood control system and could increase the stress on the levees and the risk of levee failures in the vicinity of the project site. The higher water surface elevations during a flood event may decrease the level of flood protection provided by the project levees in the surrounding Reclamation Districts. The impacts that may result from the potential for increased stages should be quantified by modeling and mitigation measures for these impacts should be addressed if they are significant. The Board considers any measurable increase in water surface elevation to be significant.
3. Impact 4.8-m indicates that the project will result in changes in velocities to the San Joaquin River and other surrounding waterways. It also states that "[h]igher flow velocities in the downstream channels could exacerbate erosion during

flooding and thereby contribute to levee failure, even if overtopping does not occur." The Board is extremely concerned about higher velocities that could result in increased bank erosion, leading to a higher risk of levee damage and the need for costly erosion control projects. The Board requests that these velocities be quantified to the extent possible through modeling and that impacts be properly mitigated if significant. At the minimum, velocities with a magnitude sufficient to move local bed or bank materials should be considered significant.

4. Impact 4.8-m also indicates that the "potential exists with any levee that boils can occur from seepage." A seepage potential discussion on page 4.7-10 states that "[p]ermeability of the soil in the existing levees and associate seepage could result in levee failure." The Department of Water Resources has documented seepage problems caused by a rise in groundwater level on the landside of the San Joaquin River in the general vicinity of Stewart Tract during high water events. The Board recommends that the potential for under-levee seepage and the potential for the seepage to transport levee foundation material out of the levee structure be more fully addressed in the EIR and mitigation measures evaluated.
5. Modifications of existing project levees, to create the back bays and to widen Paradise Cut, will require adjustments to the Board's easements and right of ways, which will require approval by the Board. Furthermore, the new and modified levees may be required to be adopted as flood control project levees, a process that may involve authorization by both the Board and the U.S. Army Corps of Engineers (Corps). Therefore, the proposed levees for the back bays and Paradise Cut should be designed to meet all Corps and Board standards for project levees. The Board's levee standards are presented in Title 23, Section 120.
6. Accessibility to levees on both landside and waterside is critical for levee inspections, levee maintenance, and potential flood fights. Therefore, it is critical that the levees currently protecting Stewart Tract continue to be accessible to personnel from both the State and local maintaining agency for levee inspection, maintenance, and flood emergencies. Standards for levee accessibility may be found in Title 23, Section 120.
7. As addressed by the Draft Subsequent EIR, the proposed project will remove a large portion of Stewart Tract from potential flood storage. Our records show levee failures and flooding of Stewart Tract occurred in 1938, 1950, and 1997. The Board is concerned with the removal of Stewart Tract's historical ability to reduce and delay the flood peak downstream of the proposed project. Loss of this historic flood storage capacity may increase the risk of flooding for other

Mr. Bruce Coleman

DEC 30 2002

Page 3

properties within the flood control system. This risk should be quantified through modeling and appropriate mitigation measures evaluated.

8. Because this project removes a large portion of Steward Tract from potential flood storage, the Board is concerned about the cumulative and growth inducing impacts of the project. In particular, the EIR should evaluate the impacts of existing and reasonably foreseeable projects on flood storage on the San Joaquin River System. In addition, the EIR should evaluate whether this project may cause growth inducing impacts, by facilitating the development of other projects in the region that may reduce available flood storage capacity.

Again, thank you for the opportunity to comment on this document. If you have any questions, please call me at (916) 653-5434 or Steve Bradley, Chief Engineer to the Reclamation Board, at (916) 653-8089.

Sincerely,

ORIGINAL SIGNED BY

Peter D. Rabbon
General Manager

bcc: David Sandino

BLek:Sharon Jenkins
C:\sharon\bradley\coleman ltr
Spell check December 27, 2002

Attachment D
Concurrence with CEQA Compliance
February 2, 2006

Attachment C

Concurrence with CEQA Compliance

February 2, 2006

Memorandum

Date: FEB 02 2008

To: Dan Fua, Acting General Manager
The Reclamation Board
3310 El Camino Avenue, Room LL-40
Sacramento, CA 95821

From: Department of Water Resources

Subject: Environmental Review Committee Recommendations from the December 2005 Meeting

Attendees:

The Reclamation Board

Mike Mirmazaheri

State Lands Commission

Madeline Cavalieri (via e-mail)

Department of Fish and Game

Joyce Young (via e-mail)

The Committee made the following recommendations for twelve Reclamation Board permit applications (the agenda is attached).

The following twelve applicants have provided environmental documents that indicate compliance with the California Environmental Quality Act:

Logged in

No. 18008	Luther Clark, Sacramento River
No. 18011	Mark Elder, Butte Creek
No. 18012	Caltrans, Bear Creek
No. 18013	San Joaquin County Public Works Dept, Stockton Diverting Canal
No. 18015	PG & E, Calaveras River
No. 18016	Robert Style, Sacramento river
No. 18017	Shasta Ranch LLC, Sacramento River
No. 18018	City of Lathrop, San Joaquin and Old Rivers
No. 18019	Marc Brennen, Sacramento River

Dan Fua, Acting General Manager
FEB 02 2006
Page 2

No. 18020	Charles Collins, Sacramento River
No. 18021	Calif. Dept. of Parks & Rec, Big Chico Creek
No. 18022	Fairfield-Suisun Sewer District, LedgeWood Creek

Please call me if you have any questions.

ORIGINAL SIGNED BY

Mike Mirmāzaheri, Acting Chair
Environmental Review Committee
(916) 574-0653

Dan Fua, Acting General Manager

FEB 02 2006
Page 3

CONCUR:

ORIGINAL SIGNED BY

FEB 02 2006

Dan Fua, Acting General Manager
The Reclamation Board

Date

cc: Environmental Review Committee Members (without attachment)
Sam Brandon (with attachment) ✓
Steve Dawson (with attachment)
Mikee Green (with attachment)
Mike Mirmazaheri (with attachment)
Mike Petersen (with attachment)
Sterling Sorenson (with attachment)
Al Vargas (with attachment)

NOTE: This memo reflects the outcome of the meeting only. The status of these applications may have changed by the time the memo is finalized and distributed.

**Applications for Review by
Environmental Review Committee
The Reclamation Board
December 2005**

Application: 18008

Applicant: Luther Clark

Project: To construct an 82-foot long, 16-foot wide concrete driveway on the left (east) bank overflow area of the Sacramento River.

Location: The project is located in Sacramento, upstream of Elkhorn Blvd. at 6805 Garden Highway.

Environmental Documentation: Reclamation Board is the lead agency.

Recommendation: CEQA has been complied

Application: 18011

Applicant: Mark Elder

Project: To authorize a 3-foot high, approximately 300 feet long wooden fence one foot landward from the landside toe and parallel to the right (west) bank levee of Butte Creek.

Location: The project is located in Durham, downstream of the Durham Highway at 9394 Stanford Lane.

Environmental Documentation:
Reclamation Board is the lead agency.

Recommendation: CEQA has been complied

Application: 18012

Applicant: CALTRANS

Project: To close approximately 12 feet wide by 165 feet long median gap of existing bridge, and construct an additional lane supported by four 15-inch-diameter concrete pilings across Bear Creek.

Location: The project is located south of Lodi, north of Eightmile Road on Highway 99.

Environmental Documentation:
Applicant has filed a Notice of Exemption for both CEQA & NEPA; applicant has also either obtained or applied for the followings:

- DFG authorization under DFG Code, Section 1600.
- Army Corps, 404, Section 10, Nationwide 25.
- CRWQCB 401 certification

Recommendation: CEQA has been complied

Application: 18013

Applicant: San Joaquin County Public Works Department

Project: To remove an existing concrete bridge, and construct a new 282-foot-long 32-foot wide, 8-span, reinforced concrete bridge, across Stockton Diverting Canal, supported by forty five, 24-inch diameter concrete piles.

Location: The project is located in Stockton, west of Highway 99 between Alpine Avenue and McAllen Road at the north end of Wilson Way.

Environmental Documentation:

Applicant has filed a Notice of Exemption with the Office of Planning and Research, applicant has also either obtained or applied for the followings:

- DFG authorization under DFG Code, Section 1603.
- Army Corps, Nationwide 23.
- CRWQCB 401 certification

Recommendation: CEQA has been complied

Application: 18015

Applicant: PG & E

Project: To install a 60-foot tall power pole on the landside slope of the left (south) bank levee, a 45-foot tall pole on the landside slope of the right (north) bank levee and an overhead line across the channel of the Calaveras River.

Location: The project is located in Stockton between Bianchi Road and Ingram Street east of El Dorado Street.

Environmental Documentation:

Reclamation Board is the lead agency.

Recommendation: CEQA has been complied

Application: 18016

Applicant: Robert Sylte

Project: To demolish existing dwelling and construct a two story 4,039-square-foot residence on the left (east) bank overflow area of the Sacramento River.

Location: The project is located in Sacramento, south of San Juan Road at 3101 Garden Highway.

Environmental Documentation:

Reclamation Board is the lead agency.

Recommendation: CEQA has been complied

Application: 18017

Applicant: Shata Ranch, LLC

Project: To excavate approximately 12 million tons of material (400,000 annually) over 30 years from 268-acres on the right (west) bank designated floodway of the Sacramento River.

Location: The project is located three miles east of Anderson.

Environmental Documentation:

This project has been documented in n EIR, SCH No.2005102134. Applicant has either obtained or applied for the followings:

- DFG authorization under DFG Code, Section 1600.
- Army Corps, 404, Section 10 permits.
- CRWQCB 401 certification

Recommendation: CEQA has been complied

Application: 18018

Applicant: City of Lathrop

Project: To place fill material between project levee and newly constructed interior private levee, and construct roads, install gates, fences; and plant vegetation on the left (south) bank of the San Joaquin and Old Rivers.

Location: The project is located southwest of Lathrop and west of Interstate 5.

Environmental Documentation:

This project has been documented in n EIR, SCH No.1993112027.

Recommendation: CEQA has been complied

Application: 18019

Applicant: Marc Brennen

Project: To demolish and abandon the first floor of existing home; and construct 1,800-square-foot addition on the left (east) bank overflow area of Sacramento River.

Location: The project is located in Sacramento, south of San Juan Road at 2945 Garden Highway.

Environmental Documentation:

Reclamation Board is the lead agency.

Recommendation: CEQA has been complied

Application: 18020

Applicant: Charles Collins

Project: To install a 3-foot high metal railing, on existing steps, on landside slope of left (east) bank levee of the Sacramento River.

Location: The project is located in Sacramento, west of Interstate 5 at 6790 Arabella Way.

Environmental Documentation:

Reclamation Board is the lead agency for Class 2 categorical exemption. No other permit is required.

Recommendation: CEQA has been complied

Application: 18021

Applicant: California Department of Parks and Recreation

Project: To construct a 10-foot wide by 40-foot long concrete boat ramp with approximately 14 cubic yards of rock riprap, a half acre gravel parking area with a 20-foot wide, 400-foot long gravel access road and chemical restroom; and an 8-foot wide, approximately one mile long hiking trail on the right (north) bank overflow area of Big Chico Creek.

Location: The project is west of Chico, south of Sacramento Avenue, adjacent to Sutter Avenue.

Environmental Documentation:

This project has been documented in a Negative Declaration, SCH No. 2005102045. Applicant has either obtained or applied for the followings:

- DFG authorization under DFG Code, Section 1600.
- Army Corps, Nationwide 36 permits.
- CRWQCB 401 certification

Recommendation: CEQA has been complied

Application: 18022

Applicant: Fairfield-Suisun Sewer District

Project: To install a 10- by 27-foot outfall structure with a 42-inch diameter HDPE sewer pipe on the right (west) bank; place riprap across channel of Ledgewood Creek.

Location: The project is located in Fairfield, south of I-80 at Cordelia Road.

Environmental Documentation:

This project has been documented in an EIR, SCH No. 2004032046. Applicant has either obtained or applied for the followings:

- DFG authorization under DFG Code, Section 1600.
- Army Corps, 404, Section 10 & Nationwide 7, 12, & 33 permits.
- USF&WS Section 7 consultation
- CRWQCB 401 certification

Recommendation: CEQA has been complied

Attachment D

FEMA LOMR

April 13, 2006



Federal Emergency Management Agency

Washington, D.C. 20472

APR 13 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Apolinar Sangalang
Mayor, City of Lathrop
16775 Howland Road, Suite 1
Lathrop, CA 95330

IN REPLY REFER TO:

Case No.: 06-09-B114P

Follows Conditional

Case No.: 05-09-0893X

Community Name: City of Lathrop, CA

Community No.: 060738

Effective Date of This Revision: APR 13 2006

Dear Mayor Sangalang:

The Flood Insurance Rate Map for your community has been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel(s) revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Federal Insurance and Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Oakland, California, at (510) 627-7175, or the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Sincerely,

Michael B. Godesky, CFM, Project Engineer
Engineering Management Section
Mitigation Division

For: William R. Blanton Jr., CFM, Acting Chief
Engineering Management Section
Mitigation Division

List of Enclosures:

Letter of Map Revision Determination Document
Annotated Flood Insurance Rate Map

cc: Ms. Marilyn Ponton
Interim Community Development Director
City of Lathrop

Mr. Glenn Gebhardt, P.E.
Reclamation District 2062

Carlson, Barbee & Gibson, Inc.

Project Manager
Carlson, Barbee & Gibson, Inc.

Follows Conditional Case No.: 05-09-0893X



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Lathrop San Joaquin County California	LEVEE DETENTION BASINS	HYDROLOGIC ANALYSIS HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 060738		
IDENTIFIER	River Islands at Lathrop	APPROXIMATE LATITUDE & LONGITUDE: 37.800, -121.330 SOURCE: FIRM Panel DATUM: NAD 27	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 060738 0590 A DATE: December 16, 2005 TYPE: FIRM NO.: 060738 0595 A DATE: December 16, 2005		NO REVISION TO THE FLOOD INSURANCE STUDY REPORT	

Enclosures reflect changes to flooding sources affected by this revision.

* FIRM - Flood Insurance Rate Map; ** FBFM - Flood Boundary and Floodway Map; *** FHBM - Flood Hazard Boundary Map

FLOODING SOURCE(S) & REVISED REACH(ES)

Local Flooding – along the San Joaquin River from approximately 900 feet upstream of Interstate Highway 5 to the confluence with the Old River and along the Old River from approximately 7,600 feet upstream of the divergence from the Middle River to the divergence from the San Joaquin River

SUMMARY OF REVISIONS

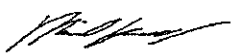
Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Local Flooding	Zone AE	Zone AE	NONE	YES
	BFES*	BFES	NONE	YES
	Zone AE	Zone X (shaded)	NONE	YES

* BFES - Base Flood Elevations

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.


Michael B. Godesky, CFM, Project Engineer
Engineering Management Section
Mitigation Division

106979 10.3.1.0609B114 102-D-A



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.


Michael B. Godesky, CFM, Project Engineer
Engineering Management Section
Mitigation Division

106979 10.3.1.0609B114 102-D-A



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)**


We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Ms. Sally M. Ziolkowski
Director, Federal Insurance and Mitigation Division
Federal Emergency Management Agency, Region IX
1111 Broadway Street, Suite 1200
Oakland, CA 94607-4052
(510) 627-7175

STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.


Michael B. Godesky, CFM, Project Engineer
Engineering Management Section
Mitigation Division



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

Within 90 days of the second publication in the local newspaper, a citizen may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. This revision is effective as of the date of this letter. However, until the 90-day period has elapsed, the revised BFEs presented in this LOMR may be changed.

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below.

LOCAL NEWSPAPER

Name: *The Record*

Dates: 04/27/2006

05/04/2006

PUBLIC NOTIFICATION

FLOODING SOURCE	LOCATION OF REFERENCED ELEVATION	BFE (FEET NGVD)		MAP PANEL NUMBER(S)
		EFFECTIVE	REVISED	
Local Flooding	Detention basin located approximately 4,000 feet north and approximately 1,000 feet west of the intersection of Stewart Road and San Joaquin Road	18	7	0595 A
	Detention basin located south and approximately 2,000 feet west of the intersection of Stewart Road and San Joaquin Road	18	7	0595 A
	Detention basin located north and west of the intersection of Stewart Road and San Joaquin Road	18	5	0595 A

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.


Michael B. Godesky, CFM, Project Engineer
Engineering Management Section
Mitigation Division

106979 10.3.1.0609B114 102-D-A

CHANGES ARE MADE IN DETERMINATIONS OF BASE FLOOD ELEVATIONS FOR THE CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA, UNDER THE NATIONAL FLOOD INSURANCE PROGRAM

On December 16, 2005, the Department of Homeland Security's Federal Emergency Management Agency identified Special Flood Hazard Areas (SFHAs) in the City of Lathrop, San Joaquin County, California, through issuance of a Flood Insurance Rate Map (FIRM). The Mitigation Division has determined that modification of the elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) for certain locations in this community is appropriate. The modified Base Flood Elevations (BFEs) revise the FIRM for the community.

The changes are being made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65.

A hydraulic analysis was performed to incorporate updated topographic and hydrologic information and construction of a ring levee along the San Joaquin River and the Old River and of detention basins associated with the River Islands project. This has resulted in decreases in SFHA widths and decreased BFEs for local flooding within the project area. The table below indicates existing and modified BFEs for selected locations along the affected lengths of the flooding source(s) cited above.

Location	Existing BFE (feet)*	Modified BFE (feet)*
Detention basin located approximately 4,000 feet north and approximately 1,000 feet west of the intersection of Stewart Road and San Joaquin Road	18	7
Detention basin located south and approximately 2,000 feet west of the intersection of Stewart Road and San Joaquin Road	18	7
Detention basin located north and west of the intersection of Stewart Road and San Joaquin Road	18	5

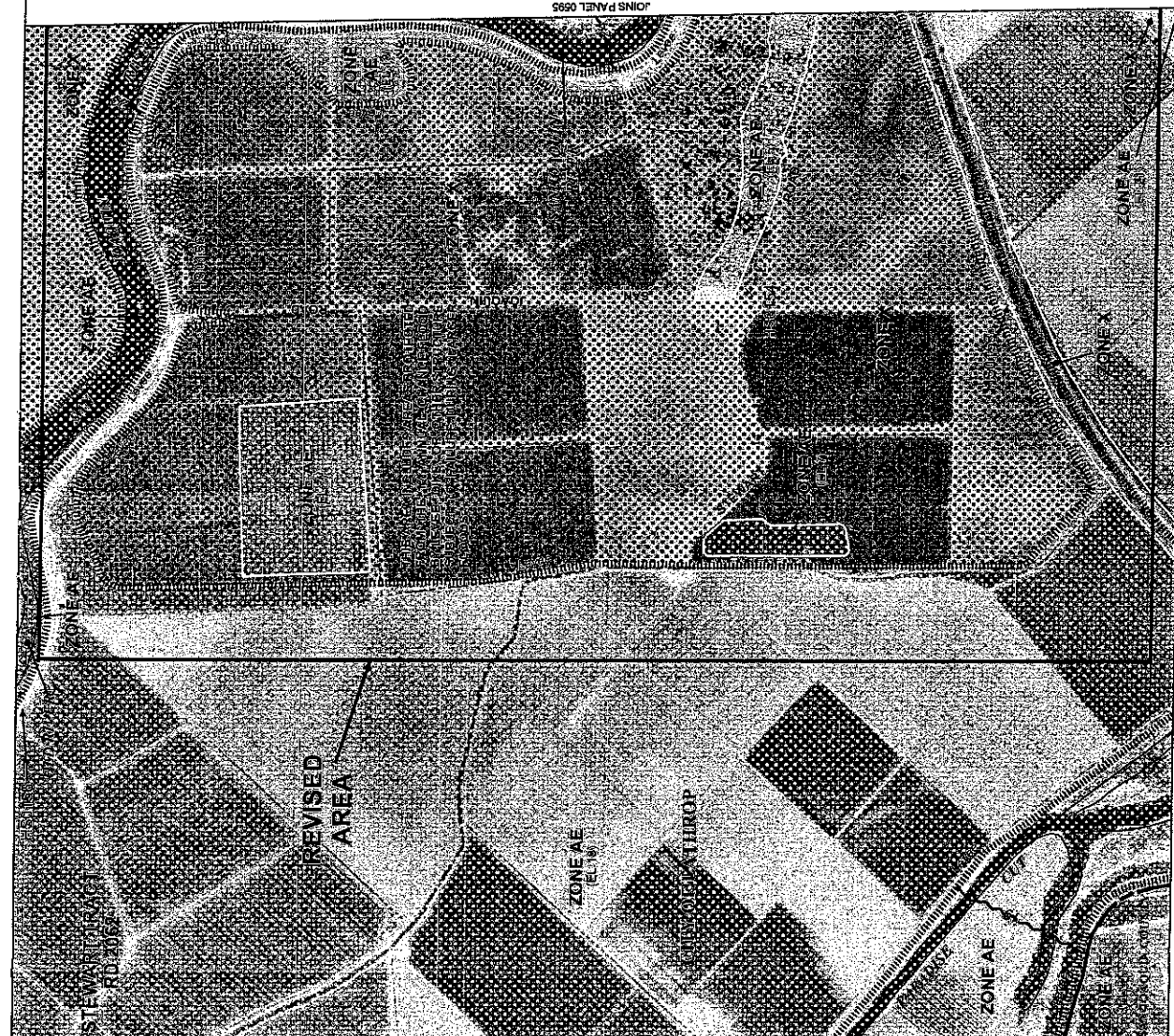
*National Geodetic Vertical Datum, rounded to nearest whole foot

Under the above-mentioned Acts of 1968 and 1973, the Mitigation Division must develop criteria for floodplain management. To participate in the National Flood Insurance Program (NFIP), the community must use the modified BFEs to administer the floodplain management measures of the NFIP. These modified BFEs will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

Upon the second publication of notice of these changes in this newspaper, any person has 90 days in which he or she can request, through the Chief Executive Officer of the community, that the Mitigation Division reconsider the determination. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Mitigation Division's determination to modify the BFEs may itself be changed.

Any person having knowledge or wishing to comment on these changes should immediately notify:

The Honorable Apolinar Sangalang
Mayor, City of Lathrop
16775 Howland Road, Suite 1
Lathrop, CA 95330



JOINS PANEL 0595

- Legend**
- 1% annual chance (100-Year) Floodplain
 - 1% annual chance (100-Year) Floodway
 - 0.2% annual chance (500-Year) Floodplain



NFIP **PANEL 0590 A**

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
LATHROP,
CALIFORNIA
SAN JOAQUIN COUNTY

PANEL 590 OF 925

SEE MAP INDEX FOR FIRM PANEL LAYOUT

COMMUNITY NUMBER: 0607380590
FIRM NUMBER: 0607380590 A

DATE: APR 13 2006

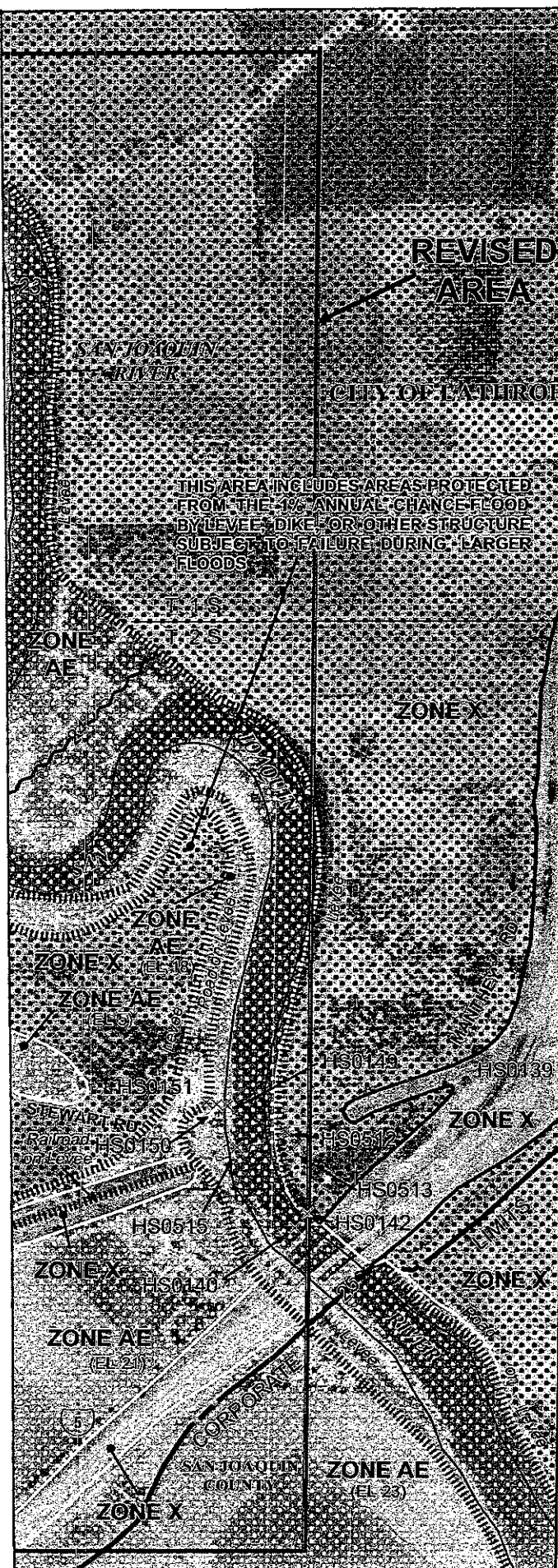
Maple to Map: The Map Number, Edition, Date, and Panel Number are used when referring to the Community's Flood Insurance Rate Map. The Community's Flood Insurance Rate Map is the official map for the community and is used for all insurance operations for the subject community.

NATIONAL FLOOD INSURANCE PROGRAM

MAP REVISED: DECEMBER 16, 2005

Federal Emergency Management Agency

JOINS PANEL 0590



Legend

- 1% annual chance (100-Year) Floodplain
- 1% annual chance (100-Year) Floodway
- 0.2% annual chance (500-Year) Floodplain



MAP SCALE 1" = 1000'

500 250 0 500 1,000 1,500 2,000 Feet

300 150 0 300 600 Meters

PANEL 0595 A

FIRM

FLOOD INSURANCE RATE MAP

CITY OF
LATHROP,
CALIFORNIA
SAN JOAQUIN COUNTY

PANEL 595 OF 925

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY NUMBER PANEL SUFFIX
LATHROP 0595 A

APR 13 2006

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
0607380595 A



MAP REVISED:
DECEMBER 16, 2005

Federal Emergency Management Agency

Attachment E

Draft Permit No. 18018-1

June 16, 2006

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE RECLAMATION BOARD

PERMIT NO. 18018-1 DRAFT

This Permit is issued to:

Califia, LLC
73 W Stewart Road
Lathrop, California 95330

To reconstruct landside portions of existing federal project levees, place engineered fill material between the project levees and an existing interior private flood control levee, construct roads; and install gates and fences to control access to the levee on the left (south) banks of the San Joaquin and Old Rivers in the reach between the Union Pacific railroad bridge and Head-of-Old River Fish Barrier. The project is located southwest of Lathrop and west of Interstate 5 (Section 29,30,32,33&4, T1&2S, R6E, MDB&M, Reclamation District 2062, San Joaquin and Old River, San Joaquin County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

(SEAL)

Dated: _____

General Manager

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Reclamation Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Reclamation Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by The Reclamation Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Reclamation Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18018-1

THIRTEEN: This permit is not valid until the permittee has addressed the issue of future liability and maintenance responsibility for permitted encroachments after the permittee has fully developed the River Islands at Lathrop Project to the Board's satisfaction.

FOURTEEN: This permit authorizes the reconstruction of the landside portion of existing federal project levees and placement of fill between the project levees and an interior private flood control levee along the left bank levee reach between the Union Pacific Railroad Bridge over the San Joaquin River and the Head-of-Old River Fish Barrier on Old River.

FIFTEEN: No work authorized by this permit shall be performed until permittee and Reclamation District No. 2062 agree to defend, indemnify and hold harmless the State of California, including its' agencies, departments, boards, and commissions, and their respective officers, agents, employees, successors, and assigns, safe and harmless of and from all claims and damages arising out of the work authorized by this permit, and to discharge this obligation to the extent of the law.

SIXTEEN: No work authorized by this permit shall be performed until the Reclamation Board has received, reviewed, and approved in writing a complete set of final submitted drawings for the project. The Reclamation Board shall have 60 days after receipt of final plans, drawings, and specifications for the review process and may request an additional 30 days beyond the initial 60-day period.

SEVENTEEN: Prior to construction, the permittee shall submit a complete inventory of all known

existing encroachments located within the levee reconstruction and fill area and the proposed method for abandonment or relocation.

EIGHTEEN:

The maximum elevations along reconstructed levees, adjacent fill areas, and interior private flood control levees affected by this permit shall be limited to the maximum elevations designed by the US Army Corps of Engineers and shown on Levee Profiles for the San Joaquin River and Tributaries Project dated December 23, 1955 or as modified and shown on "as-built" drawings submitted subsequent to December 23, 1955.

NINETEEN: The permittee or successor shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources, Reclamation District No. 2062 or any other agency responsible for maintenance.

TWENTY: The permittee or successor shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

TWENTY-ONE: The permittee or successor shall provide supervision and inspection services acceptable to The Reclamation Board. A professional engineer registered in the State of California shall certify that all work was inspected and performed in accordance with submitted drawings, specifications, and permit conditions.

TWENTY-TWO: The Reclamation Board and Department of Water Resources shall not be held liable for damages to the permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

TWENTY-THREE: The permittee or successor may be required, at permittee's or successor's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee or successor does not comply, The Reclamation Board may remove the encroachment(s) at the permittee's or successor's expense.

TWENTY-FOUR: The permittee or successor shall be responsible for repair of any damages to the project levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY-FIVE: The permittee or successor is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend and hold harmless the State of California, or any departments thereof, from any liability or claims of liability associated therewith.

TWENTY-SIX: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of The Reclamation Board and Department of

Water Resources, at the permittee's or successor's cost and expense.

TWENTY-SEVEN: No construction work of any kind shall be done during the flood season from November 1 to July 15 without prior approval of The Reclamation Board.

TWENTY-EIGHT: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee or successor shall be required, at permittee's or successor's cost and expense, to modify or remove the permitted encroachment(s) under direction of The Reclamation Board or Department of Water Resources. If the permittee or successor does not comply, The Reclamation Board may modify or remove the encroachment(s) at the permittee's or successor's expense.

TWENTY-NINE: During construction of the project, any and all anticipated or unanticipated conditions encountered which may impact levee integrity or flood control shall be brought to the attention of the Flood Project Inspector immediately and prior to continuation. Any abandoned encroachments encountered shall be completely removed or properly abandoned under the direction of The Reclamation Board and Department of Water Resources.

THIRTY: The haul ramps and utilized levee crown roadway shall be maintained in a manner prescribed by the authorized representative of the Department of Water Resources, Reclamation District No. 2062 or any other agency responsible for maintenance.

THIRTY-ONE: No encroachments, other than gates, fences and ramps that control access to the levee, shall be allowed on the levee or fill area.

THIRTY-TWO: A profile of the levee crown roadways and access ramps that will be utilized for access to and from the borrow areas shall be submitted to The Reclamation Board prior to commencement of excavation.

THIRTY-THREE: Upon completion of the project, the permittee or successor shall submit a levee crown profile survey of the project reach to The Reclamation Board.

THIRTY-FOUR: Any damage to the levee crown roadways or access ramps shall be promptly repaired to the condition that existed prior to implementation of this project, or better.

THIRTY-FIVE: All fencing and gates removed during construction of this project shall be replaced in kind and at the original locations. If it is necessary to relocate any fence or gate or install new fencing or gates, the permittee or successor is required to obtain written approval from The Reclamation Board prior to installation at a new location.

THIRTY-SIX: All temporary fencing and gates shall be removed upon completion of project.

THIRTY-SEVEN: All drains and abandoned conduits shall be removed from the project footprint prior to levee construction.

THIRTY-EIGHT: All holes, depressions, and ditches in the foundation area shall be stripped of

surface vegetation to a depth of 6-inches. Organic soil and roots greater than 1-1/2 inches shall be removed to a depth of 3 feet. Backfill material shall be placed in 4- to 6-inch layers and compacted to a minimum of 90 percent relative compaction per ASTM Method D1557-91.

THIRTY-NINE: Prior to start of construction, all areas to receive fill shall have surface vegetation removed to a depth of 6 inches. Organic soil and roots greater than 1-1/2 inches in diameter shall also be removed to a depth of 3 feet.

FORTY: Fill material shall be placed only within the area indicated on the approved plans.

FORTY-ONE: Engineered fill material shall be impervious material with 20 percent or more passing the No. 200 sieve, a plasticity index of 8 or more, and a liquid limit of less than 50 and free of lumps or stones exceeding 3 inches in greatest dimension, vegetative matter, or other unsatisfactory material. Fill material shall be compacted in 4- to 6-inch layers to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

FORTY-TWO: Density tests by a certified soils laboratory will be required to verify compaction of the engineered fill within the Board's easement area.

FORTY-THREE: Positive drainage away from all levee toes shall be provided at all engineered fill/project levee transition areas.

FORTY-FOUR: Each layer of fill material applied on a levee must be keyed into the levee section individually in four (4) to six (6) inch layers.

FORTY-FIVE: Levee crown roadways and access ramps shall be surfaced with a minimum of 4 inches of compacted, Class 2, aggregate base (Caltrans Specification 26-1.02A).

FORTY-SIX: Aggregate base material shall be compacted to a relative compaction of not less than 95 percent per ASTM Method D1557-91, with a moisture content sufficient to obtain the required compaction.

FORTY-SEVEN: During reconstruction of the levee, a minimum slope of 1 horizontal to 1 vertical shall be maintained until the placement of the fill is completed.

FORTY-EIGHT: The stability of project levees shall be maintained at all times during construction.

FORTY-NINE: The permittee or successor shall be responsible for all damages due to settlement, consolidation, or heave from any construction-induced activities.

FIFTY: The permittee or successor shall replant or reseed the levee slopes to restore sod, grass, or other non-woody ground covers if damaged during project work.

FIFTY-ONE: The levee sections, access ramps and any encountered active utility crossings shall be restored to at least Title 23 standards.

FIFTY-TWO: All debris generated by this project shall be disposed of outside the floodway and off all

levee and fill sections.

FIFTY-THREE: If the permittee or successor does not comply with the conditions of this permit and an enforcement action by The Reclamation Board is required, the permittee or successor agrees to be responsible for and bear all costs associated with the enforcement action.

FIFTY-FOUR: Upon completion of the project, the permittee or successor shall submit as-built drawings to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite LL30, Sacramento, California 95821.

FIFTY-FIVE: If FEMA certification of the reconstructed levee or fill by the Corps of Engineers is being considered, the permittee or successor should contact the Corps of Engineers regarding the requirements for certification, including the need for data collection and inspection of the project during construction.

FIFTY-SIX: If portions of the engineered fill placed as part of this project are being considered for inclusion in the federal project levee system as a levee setback or levee realignment, the permittee or successor should contact the Corps of Engineers regarding the requirements for certification, including the need for data collection and inspection of the project during construction.

FIFTY-SIX: Paved levee crown roadways and access ramps shall have a minimum width of twelve (12) feet and a minimum shoulder width of two (2) feet on each side with a smooth transition between pavement and shoulder and shall be designed and paved to withstand a maximum load of 68,000 pounds from two consecutive sets of tandem axles.

FIFTY-SEVEN: Paved levee crown roadways and access ramps shall, at the minimum, have six (6) inches of compacted, Class 2, aggregate base material (Caltrans Specification 26-1.02A) beneath two (2) inches of asphalt concrete pavement.

FIFTY-EIGHT: Aggregate base material under paved levee crown roadways and access ramps shall extend beyond the edge of pavement pavement for drainage